

IN RE: PETITION FOR ZONING VARIANCE  
SE/S Lenings Lane, 118' E  
of the c/l of Crestview Garth  
(8913 Lenings Lane)  
14th Election District  
6th Councilmanic District  
Peter W. Angelos, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-326-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 16 feet in lieu of the required 30 feet for an existing dwelling, to allow an open projection (carport) with a front yard setback of 10 feet in lieu of the required 22.5 feet, and to amend the Final Development Plan of Rustic Ridge, Lot #16 accordingly, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protests.

Testimony indicated that the subject property, known as 8913 Lenings Lane, consists of 8,010 sq.ft. zoned D.R. 3.5 and is improved with a single family dwelling which has been the Petitioners' residence since 1983. Petitioners testified that their original house plans, which included a garage, had to be modified to provide additional living space for Petitioners' elderly parents. Petitioners had applied for and were granted a building permit for an addition to the rear of the property. Subsequent thereto when Petitioners applied for a building permit for the proposed carport, they were advised they were in violation of the rear yard setback requirements as a result of the rear addition. Petitioners then filed the instant Petition requesting a variance to the rear yard setback requirements and a variance to the front yard setback requirements for the

proposed carport. Petitioners testified the carport is necessary for the protection of both the Petitioners and their vehicles during inclement weather. The Petitioners are senior citizens and have related health problems which prevent them from being able to remove snow and ice from their vehicles and the sidewalk leading to the entrance of their home. Testimony presented indicated that Petitioners have discussed their plans with their neighbors who have no objections. Further, Petitioners indicated that the granting of the variance will not result in any detriment to the health, safety or general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of February, 1989 that the Petition for Zoning Variance to permit a rear yard setback of 16 feet in lieu of the required 30 feet for an existing dwelling, to allow an open projection (carport) with a front yard setback of 10 feet in lieu of the required 22.5 feet, and to amend the Final Development Plan of Rustic Ridge, Lot

#16 accordingly, in accordance with Petitioner's Exhibit 1, to and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

AMN:bjs

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21204  
(301) 537-3333

J. Robert Haines  
Zoning Commissioner

February 17, 1989



Mr. & Mrs. Peter W. Angelos  
8913 Lenings Lane  
Baltimore, Maryland 21237

RE: PETITION FOR ZONING VARIANCE  
SE/S Lenings Lane, 118' E of the c/l of Crestview Garth  
(8913 Lenings Lane)  
14th Election District - 6th Councilmanic District  
Peter W. Angelos, et ux - Petitioners  
Case No. 89-326-A

Dear Mr. & Mrs. Angelos:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Mr. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: People's Counsel

File

#### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.4, 1802.3.B, 301.1 To allow a rear yard setback of 16' in lieu of the required 30' for existing dwelling, and to allow an open projection (carport) with a front yard setback of 10' in lieu of the permitted 22.5' ft. and to Amend the Final Development Plan of Rustic Ridge, Lot #16 for...

...same of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty.)  
1. AS THE DWELLING IS SITUATED WITHIN THE PROPERTY LINES THERE IS NO ROOM FOR A CARPORT AND DRIVEWAY ON THE SIDES OR BACK OF PROPERTY.  
2. THE CARPORT IS NEEDED MAINLY DUE TO SNOW AND ICE IN WINTER. MRS. ANGELOS HAS HAD THREE HEART ATTACKS AND OPEN HEART SURGERY AT JAMES HOPKINS HOSPITAL. IF SHE SHOULD NEED THE CAR IN AN EMERGENCY SHE IS INCAPABLE OF CLEARING ICE & SNOW FROM CAR IN WINTER. WE ARE BOTH SENIOR CITIZENS. I HAVE HAD A DISC REMOVED FROM MY SPINE. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Attorney's Telephone No.: \_\_\_\_\_

Legal Owner(s):  
Name: PETER W. ANGELOS  
Signature: \_\_\_\_\_  
Address: 8913 LENINGS LANE, 21237  
City and State: BALTIMORE, MARYLAND  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:  
Name: PETER W. ANGELOS  
Address: 8913 LENINGS LANE, 21237  
City and State: BALTIMORE, MARYLAND  
Name: J. ROBERT HAINES  
Address: 111 W. CROSCAPPE AVENUE, 21204  
City and State: BALTIMORE, MARYLAND

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of February, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of February, 1989, at 9:30 o'clock P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County

#### Zoning Description

Beginning at a point on the Southeast side of Lenings Lane 40 feet wide at the distance 118 feet east of the centerline of Crestview Garth. Being lot 16 in the subdivision of Rustic Ridge Book No. 47 Folio 150. Also known as 8913 Lenings Lane in the 14th Election District

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., January 26, 1989  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 26, 1989.

THE NORTHEAST TIMES  
THE JEFFERSONIAN,  
S. Z. P. O'Brien  
Publisher

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Room 106 of the County Office Building in Towson, Maryland, on the 16th day of February, 1989, at 9:30 o'clock P.M. to consider a petition for a Variance from Section 1801.2.C.4, 1802.3.B, 301.1 To allow a rear yard setback of 16' in lieu of the required 30' for existing dwelling, and to allow an open projection (carport) with a front yard setback of 10' in lieu of the permitted 22.5' ft. and to Amend the Final Development Plan of Rustic Ridge, Lot #16 for...  
The petition is for a Variance from the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty.)  
1. AS THE DWELLING IS SITUATED WITHIN THE PROPERTY LINES THERE IS NO ROOM FOR A CARPORT AND DRIVEWAY ON THE SIDES OR BACK OF PROPERTY.  
2. THE CARPORT IS NEEDED MAINLY DUE TO SNOW AND ICE IN WINTER. MRS. ANGELOS HAS HAD THREE HEART ATTACKS AND OPEN HEART SURGERY AT JAMES HOPKINS HOSPITAL. IF SHE SHOULD NEED THE CAR IN AN EMERGENCY SHE IS INCAPABLE OF CLEARING ICE & SNOW FROM CAR IN WINTER. WE ARE BOTH SENIOR CITIZENS. I HAVE HAD A DISC REMOVED FROM MY SPINE. Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

PO 09018  
reg 125209  
case 89-326-A  
price 82.35

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 14th Date of Posting: 1/25/89  
Posted for: Variance  
Petitioner: Peter W. Angelos, et ux  
Location of property: SE/S Lenings Lane, 118' E of Crestview Garth  
8913 Lenings Lane  
Location of Sign: Front lawn, 15' E of driveway on property of Petitioner  
Remarks: \_\_\_\_\_  
Posted by: J. Robert Haines Date of return: 1/25/89  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21204  
494-3333

Mr. & Mrs. Peter W. Angelos  
8913 Lenings Lane  
Baltimore, Maryland 21237

Re: Petition for Zoning Variance  
CASE NUMBER: 89-326-A  
SE/S Lenings Lane, 118' E of Crestview Garth  
8913 Lenings Lane  
14th Election District - 6th Councilmanic  
Petitioner(s): Peter W. Angelos, et ux  
HEARING SCHEDULED: THURSDAY, FEBRUARY 16, 1989 at 9:30 a.m.

Dear Mr. & Mrs. Angelos:

Please be advised that \$9735 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 005702  
DATE: 2/16/89 ACCOUNT: R-0115-000  
AMOUNT: \$ 9735  
RECEIVED BY: Peter Angelos, et ux  
FOR: PWA 2/16/89  
VALIDATION ON SIGNATURE OF CASHIER

post set(s), there each set not

lines

5

aner of



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

January 13, 1989

## NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-326-A  
SE/S Lennings Lane, 118' E. of c/l Crestview Gath  
8913 Lennings Lane  
14th Election District - 6th Councilmanic  
Petitioner(s): Peter W. Angelos, et ux  
HEARING SCHEDULED: THURSDAY, FEBRUARY 16, 1989 at 9:30 a.m.

Variance to allow a rear yard setback of 15 ft. in lieu of the required 30 ft. for existing dwelling and to allow an open projection (carport) with a front yard setback of 10 ft. in lieu of the permitted 22.5 ft. and to amend the Final Development Plan of Rustic Ridge, Lot #16 for same.

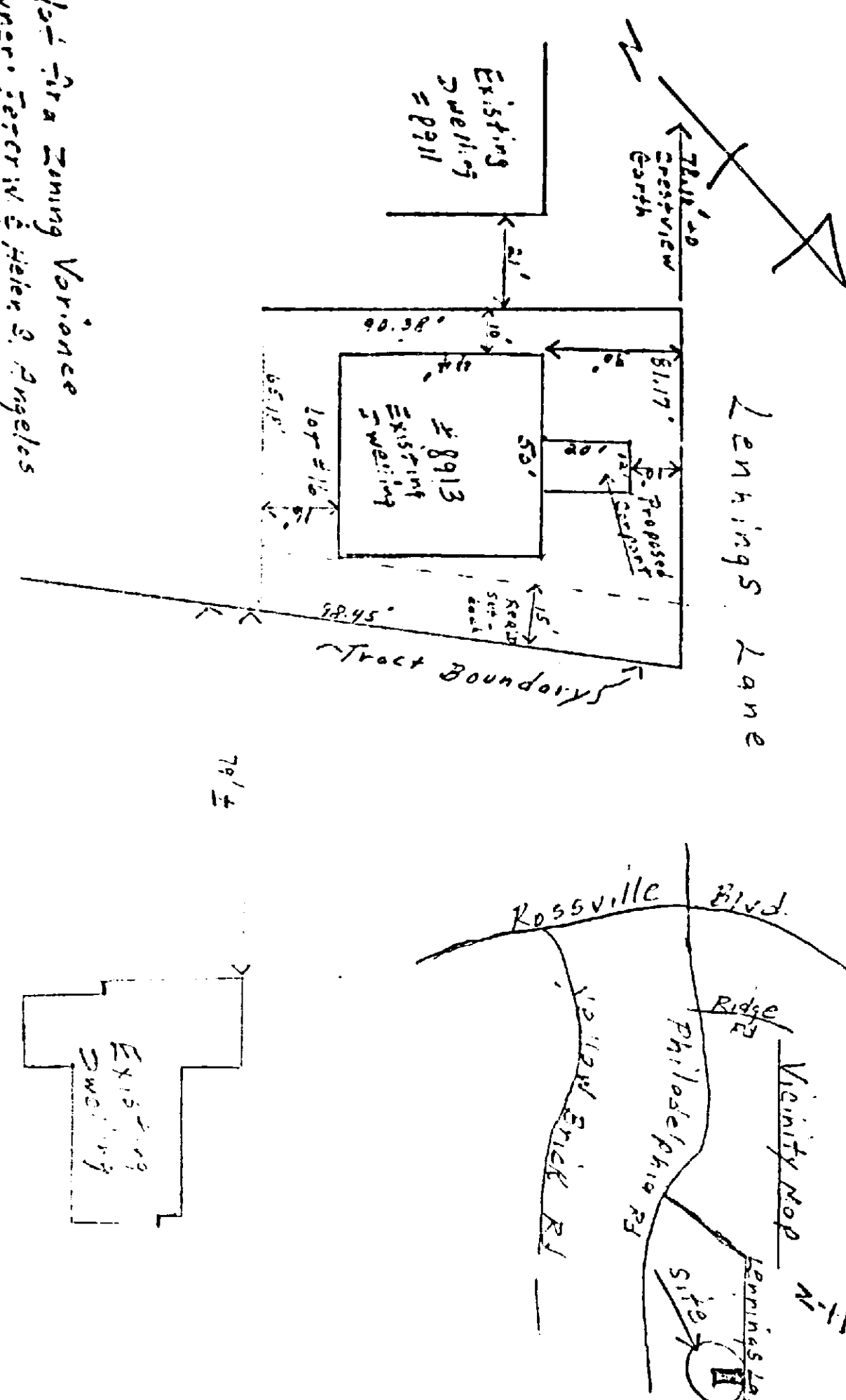
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

*J. Robert Haines*

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Peter W. Angelos, et ux  
File

Plot for Zoning Variance  
Subject: Peter W. & Helen S. Angelos  
District: 14  
Case: 89-326-A  
Location: SE/S Lennings Lane  
8913 Lennings Lane  
Scale: 1" = 30' ft.  
Lot #16 of Rustic Ridge



PETITIONER'S  
FILE

89-326-A  
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
7th day of December, 1988

Petitioner: Peter W. Angelos  
Petitioner's Attorney: \_\_\_\_\_

Received by: *J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER  
Chairman, Zoning Plans  
Advisory Committee

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3334

January 17, 1989



Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 174, 192, 202, 204, 206, 208, 211, 212, 213, and 214.

*Michael S. Plantgan*  
Michael S. Plantgan  
Traffic Engineer Associate II

MSF/LW

Baltimore County  
Fire Department  
Towson, Maryland 21204-2886  
494-4500

Paul H. Reincke  
Chief

December 29, 1988

J. Robert Haines, Zoning Commissioner  
Office of Planning & Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Re: Property Owner: Peter W. Angelos, et ux

Location: SE/S Lennings Lane, 118' E. of c/l of Crestview  
Garth (8913 Lennings Lane)  
Item No.: 208

Zoning Agenda: Meeting of 12/6/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Paul H. Reincke*  
Planning Group  
Special Inspection Division

NOTED & APPROVED: *James E. Dyer*  
Fire Prevention Bureau

/s/

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 3, 1989

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

MEMBERS

Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Mr. Peter W. Angelos  
8913 Lennings Lane  
Baltimore, MD 21237

RE: Item No. 208, Case No. 89-326-A  
Petitioner: Peter W. Angelos  
Petition for Zoning Variance

Dear Mr. Angelos:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

To: J. Robert Haines, Zoning Commissioner Date: February 1, 1989

From: Pat Keller, Deputy Director  
Office of Planning and Zoning

Subject: Zoning Petition Nos. 89-222-SPH (Lawrence); 89-302 (Lagna); 89-303-A (Gorn); 89-325-A (Penn Ltd.); 89-335-A (SK Properties); 89-326-A (Angelos); 89-332-A (Haynes); 89-333-A (Hart)

The Office of Planning and Zoning has no comment on the above petitions.

PK/sf

RECEIVED  
FEB 2 1989

ZONING OFFICE